

COMMONWEALTH OF KENTUCKY  
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

APPLICATION OF PHONETEL TECHNOLOGIES	)	
INC. FOR A CERTIFICATE OF CONVENIENCE	)	
AND NECESSITY TO PROVIDE INTRASTATE	)	CASE NO. 91-474
OPERATOR-ASSISTED RESOLD	)	
TELECOMMUNICATION AND COCOT SERVICES	)	
AS A NONDOMINANT CARRIER	)	

O R D E R

IT IS ORDERED that PhoneTel Technologies, Inc. ("PhoneTel") shall file the original and ten copies of the following information with the Commission. Each copy of the information requested should be placed in a bound volume with each item tabbed.

The information requested is due no later than 30 days from the date of this Order. If the information cannot be provided by this date, PhoneTel should submit a motion for an extension of time stating the reason a delay is necessary and include a date by which it can be furnished. Such motion will be considered by the Commission.

1. Has PhoneTel ever provided and/or collected any money from the public for the provision of intrastate telecommunications services in the Commonwealth of Kentucky? If so, explain in detail.

2. Does PhoneTel, or any affiliate, own and/or operate any transmission facilities in any jurisdiction?

3. Identify the carriers whose services PhoneTel intends to resell.
4. If PhoneTel intends to resell tariffed services of facilities-based carriers, identify these tariffed services and specify whether these services will be obtained from intrastate or interstate tariffs.
5. If PhoneTel intends to resell services that are not available under an approved tariff, provide copies of the contracts which govern the terms of the agreement between PhoneTel and its facilities-based carriers.
6. If switching locations and/or points-of-presence are located outside the Commonwealth of Kentucky, explain how PhoneTel will ensure that intrastate access charges will be paid.
7. Clarify whether PhoneTel will provide operator services or PhoneTel will resell operator services of other carriers.
8. Provide a copy of all current contracts entered into with any business, institution, and/or corporation for the provision of operator-assisted services by PhoneTel and/or any of its affiliates.
9. Clarify whether or not PhoneTel is requesting intraLATA operating authority.
10. State whether PhoneTel will comply with the Commission's rules, restrictions, and prohibition against providing intraLATA services except through the resell of local exchange carrier's WATS.<sup>1</sup>

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<sup>1</sup> Wide Area Telecommunication Service.

11. Explain how PhoneTel will screen intraLATA traffic if PhoneTel intends to resell services or facilities authorized only for interLATA traffic.

12. Provide a listing of financial institutions with which PhoneTel has a line of credit. State PhoneTel's credit line with each of these institutions.

13. Provide a toll-free number or provision for accepting collect calls for customer complaints.

14. Refer to Exhibit 2 of the Application; United States Securities and Exchange Commission Form 10-Q, NOTE 2 - FINANCIAL CONDITION, pages 7 and 8 of 13. Address the issue regarding the unpaid commissions due to Edward J. Debartolo Corporation. Discuss specifically the present status of PhoneTel's cash flow and ability to operate.

15. Refer to Original Sheet 11 of the proposed tariff. Provide revised tariff sheets adding the following language:

Acceptance by the Commission of the liability provisions contained in this tariff does not constitute its determination that the limitation of liability imposed by the company should be upheld in a court of law, but the recognition that, as it is the duty of the courts to adjudicate negligence claims and rights to recover damages therefor, so it is the duty of the courts to determine the validity of the exculpatory provision of Section \_\_\_\_\_ of this tariff.

16. Refer to Original Sheet 12, Section 2.5.1. KRS 278.540 sets out the authority and manner under which telecommunications utilities can acquire rights-of-way necessary for the provision of service. The utility cannot require a subscriber to obtain rights-of-way. Provide a revised tariff sheet.

17. Refer to Original Sheet 14, Section 2.9. 807 KAR 5:006, Section 7, allows a utility to require a deposit to ensure payment of bills. Interest must be paid on such deposits in accordance with KRS 278.460 and the Commission's Order in Case No. 89-057.<sup>2</sup> Monthly recurring charges and non-recurring charges may be billed in advance; however, usage charges must be billed in arrears. Provide a revised tariff sheet.

18. Provide revised tariff sheets clarifying that operator-assisted services are interLATA only and that intraLATA calls will be carried under the COCOT provisions only if the carrier which carries the call is authorized to carry intraLATA traffic. Other conditions and restrictions set forth in the Commission's Orders in Administrative Case Nos. 330<sup>3</sup> and 337<sup>4</sup> for the provision of operator-assisted and COCOT services should be included in the tariff.

19. Refer to Original Sheet 19, Section 3.2. Describe the method used to provide "automated" operator-assistance.

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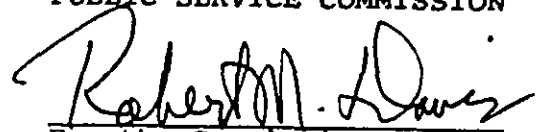
<sup>2</sup> Case No. 89-057, Investigation Into the Customer Deposit Policy of Kentucky Power Company.

<sup>3</sup> Administrative Case No. 330, Policy and Procedures in the Provision of Operator-Assisted Telecommunications Services.

<sup>4</sup> Administrative Case No. 337, The Investigation and Review of Customer-owned, Coin-operated Telephone Regulation.

Done at Frankfort, Kentucky, this 4th day of February, 1992.

PUBLIC SERVICE COMMISSION

  
For the Commission

ATTEST:

  
Executive Director